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## NEWS RELEASE

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### **SEX OFFENDER INDICTED FOR FEDERAL FAILURE TO REGISTER OFFENSE**

FRESNO-- United States Attorney McGregor W. Scott announced today that a federal grand jury returned a one-count indictment charging STEPHEN DOUGLAS KELEHER, 58, of Fresno, California with failure to register as a convicted sex offender. This is the second such case brought in the Eastern District of California under recently-enacted federal sex offender legislation.

The case was the result of an investigation by the United States Immigration and Customs Enforcement (ICE).

The Adam Walsh Child Protection and Safety Act of 2006 (Walsh Act) was enacted on July 27, 2006, to create a new comprehensive national system and set of requirements for sex offender registration and notification. As part of this legislation, the Sex Offender Registration and Notification Act imposes federal requirements for sex offenders to register in the jurisdictions in which they live, work, or attend school.

According to Assistant United States Attorney Sherrill A. Carvalho, who is prosecuting the case, the indictment alleges that between September 6, 2007 until on or about December 17, 2007, KELEHER was required to register under the Sex Offender Registration and Notification Act. However, the defendant traveled in interstate commerce and failed to update his registration as required. The defendant was required to register as a sex offender because of his convictions in 1985, for two counts of Lewd and Lascivious acts with a child under 14, in violation of California Penal Code Section 288(a).

KELEHER has an outstanding felony warrant from the State of Ohio for failure to register as a sex offender. When Ohio State authorities instructed him that he must register in Ohio based on his California convictions, he abruptly left Ohio for Delaware. He has been residing in Fresno County since at least September 6, 2007 and has failed to update his registration, as required.

KELEHER is in federal custody following a detention hearing on a criminal complaint. On December 18, 2007, KELEHER was ordered detained as a flight risk by the Honorable Magistrate Judge Gary S. Austin. As reasons for the detention order, Judge Austin took into account the outstanding warrant for his arrest from the State of Ohio, and information before the Court that KELEHER may be in possession of fraudulent identification documentation.

If convicted, the maximum potential sentence that the defendant faces are up to ten years imprisonment, a \$250,000 fine, and a lifetime of supervised release . However, the actual sentence will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables, and any applicable statutory sentencing factors.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

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